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4 **IN THE UNITED STATES DISTRICT COURT**
5 **FOR THE DISTRICT OF ARIZONA**
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7 Lorenzo Leon Brown,

8 Plaintiff,

9 v.

10 Charles Ryan, et al.,

11 Defendants.
12

No. CV-17-00377-TUC-DCB

ORDER

13 The Court issues this Order to supplement its Order issued on November 19, 2018,
14 denying Plaintiff's Motion to Object to Defendant's Request for Production and Non-
15 Uniform Interrogatories (Doc. 67). Therein, the Court explained the discovery
16 responsibilities of both parties and the procedures to be followed by both parties to
17 address discovery disputes. The parties must certify that they have in good faith
18 conferred or attempted to confer with each other in an effort to obtain discovery before
19 filing a discovery related motion. The Court shall treat Defendant Jacob's Motion to
20 Continue the Dispositive Motion Deadline as an effort to confer with Plaintiff in writing
21 regarding responses to Interrogatories 1-4, 8-11 and Requests for Production 1-4 and 8-
22 13. Plaintiff shall either produce this discovery or provide his objections in writing
23 directly to Defendant Jacobs' counsel. Thereafter, Defendant may file a Motion to
24 Compel.

25 Defendant Jacobs has filed a dispositive motion based on exhaustion. Because
26 failing to administratively exhaust his claim against Jacobs may result in dismissal of the
27 action against Defendant Jacobs, the Court shall extend the time for discovery related to
28 the Jacobs' claim for 30 days following the Court's resolution of the exhaustion question.

1 The Court will grant the Motion for an Extension of the Dispositive Motions
2 Deadline for the remaining Defendants. Defendant Goodman failed to Answer or
3 propound discovery due to a clerical error by counsel. The Court shall allow 60 days for
4 the parties to conduct discovery related to the claims against Defendant Goodman.

5 **Accordingly,**

6 **IT IS ORDERED** that the Motion for Continuance to complete discovery related
7 to the claims against Defendant Jacobs (Doc. 71) is GRANTED for 30 days following
8 disposition by this Court of Defendant Jacobs' Motion for Summary Judgement Re:
9 Exhaustion.

10 **IT IS FURTHER ORDERED** that the Motion for Continuance to complete
11 discovery related to the claims against Defendant Goodman (Doc. 70) is GRANTED for
12 60 days from the filing date of this Order.

13 **IT IS FURTHER ORDERED** that the deadline for filing dispositive motions
14 related to the merits of the retaliation claim against Defendant Jacobs shall be 60 days
15 following this Court's resolution of the exhaustion issue, unless the claim is dismissed for
16 failure to exhaust administrative remedies.

17 **IT IS FURTHER ORDERED** that all other discovery is closed.

18 **IT IS FURTHER ORDERED** that the deadline for filing dispositive motions on
19 the merits of the claims against all other Defendants shall be 90 days from the following
20 the close of discovery.

21 Dated this 26th day of November, 2018.

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25 Honorable David C. Bury
26 United States District Judge
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